

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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SAMASARA INVESTMENT III, LLC, :

Plaintiff, :

v. :

JERRY WALLACE :

Defendant. :

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JOHN F. KEENAN, United States District Judge:

In a letter to the Court dated May 5, 2008, Mark B. Stumer, the attorney of record for defendant, states that he was terminated by defendant earlier that day and requests leave to be displaced as counsel. He also requests a 60-day extension for discovery, so that defendant has time to retain new counsel. Plaintiff opposes the extension of discovery on the ground that it would disrupt depositions scheduled for May 8, 9, and 12, 2008. Plaintiff's principal has already flown in from India in order to attend his deposition scheduled for May 12.

Local Civil Rule 1.4 of the Local Rules for the Southern and Eastern Districts of New York state that "An attorney who has appeared as attorney of record for a party may be relieved or displaced only by order of the court and may not withdraw from a case without leave of the court granted by order. Such an order may be granted only upon a showing by affidavit or otherwise of satisfactory reasons for withdrawal or

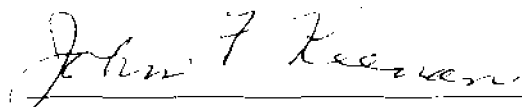
displacement and the posture of the case, including its position, if any, on the calendar."

The Court finds that Mr. Stumer's termination by his client is a satisfactory reason for his displacement. Mr. Stumer is hereby relieved as attorney of record for defendant, if this is what defendant really desires.

However, defendant's motion to extend discovery is denied because to do so would be unduly disruptive, would be unfair and cause hardship to plaintiff, who has flown in its principal from India, and would unnecessarily delay the case. Discovery must still be completed by May 15, 2008. The depositions will proceed as scheduled, and defendant may attend them unrepresented or represented by newly-retained counsel or by present counsel. But the depositions will go forward as scheduled. The parties shall appear in Courtroom 20-C on May 22, 2008 at 9:45 a.m. for a status conference.

SO ORDERED.

Dated: New York, New York
May 7, 2008



JOHN F. KEENAN

United States District Judge